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Attn : Assistant Director for Policy Coordination
Comptroller

23 August 1961

Possibility of Acquisition of Funds by CIA from a "Trust Fund Account"

- REFS : (a) Memorandum dated 31 May 1950 to ADPC from Asst. General Counsel
(b) Memorandum dated 6 June 1950 to [redacted]
(c) Memorandum dated 22 November 1950 to Comptroller, CIA from Chief, Staff III, OPC
(d) Accts. and Proc. Letter No. 9984
(e) Accts. and Proc. Letter No. 5566
(f) Comptroller General's Decision B-29114
(g) Memorandum dated 2 February 1961 to General Counsel, CIA from Comptroller, CIA
(h) Memorandum dated 30 July 1961 to Comptroller, CIA from General Counsel, CIA.

1. In reference (c) above, this office was requested to investigate the possibility of securing funds from "Trust Fund Account" - Funds of Civilian Internees and Prisoners of War" for use by OPC. In checking into this matter we found that the General Accounting Office in a letter to the Secretary of War dated October 20, 1942, B-29114, advised that:

"Funds deposited by, or withheld from, interned civilians and prisoners of war are impressed with a trust under Article 24 of the Geneva Convention, signed July 27, 1929, 47 Stat. 2038, and as such, together with moneys belonging to their estates on death or mental incompetency, are required to be established on the books of the Government as trust funds under the provisions of section 20 of the Permanent Appropriation Repeal Act, 1934, 48 Stat. 1224."

2. We had a number of discussions with the General Counsel on this matter and asked for a legal opinion. After further exploration of the subject with the Defense Component administering this "Trust Fund" the General Counsel advised that he did not believe that any of the surplus funds in Trust Fund Account [redacted] could be used for the purposes described in references (a) and (b) above. (Copy of his memo is attached)

3. As you will note, the General Counsel indicates that it might be possible to secure funds from this "Trust Account" for use on projects having a close relationship to former internees or prisoners of

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war. If you desire to explore that possibility further, it is suggested that it be approached on the basis of a specific project stating the amount of funds required, and the specific purposes for which the funds would be used, since it appears that that type of data would be an essential prerequisite to obtaining approval for the use of any part of the "Trust Fund".

E. R. SAUNDERS

Attachment

FPB/ERS/rmc

cc: Signer's copy
General Counsel ✓

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